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May 11, 2022

**VIA ECF**

Hon. Lorna G. Schofield  
United States District Court Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

RE: *US Airways, Inc. v. Sabre Holdings Corp., et al.*, No. 1:11-cv-02725,  
Rule 50 Motion Procedure

Dear Judge Schofield:

Sabre writes regarding a motion under Federal Rule of Civil Procedure 50(a), which Sabre initially raised on May 2, 2022, one day before USAir rested its case on May 3, 2022. At that time, the Court did not require Sabre to formally present its motion, but rather, deemed the motion to have been made and reserved until a later date. (*See Trial Tr. 1180:7-12.*) As trial is nearing its conclusion, Sabre would like to remind the Court that it intends to move for judgment as a matter of law in light of the evidence adduced at trial. Sabre understands that under Federal Rule of Civil Procedure 50(a)(2), its motion “must specify the judgment sought and the law and facts that entitle the movant to the judgment.” As Sabre is also mindful of the Court’s interest in facilitating an efficient use of the jury’s time, Sabre writes seeking clarity on the Court’s preferred procedure for any Rule 50(a) motion, so that Sabre can be sure to preserve its arguments for a potential Rule 50(b) motion. As in the last trial, Sabre is ready to present the grounds for any Rule 50(a) motion orally, although it understands that Your Honor may prefer to continue to hold the matter in reserve as indicated on May 2, 2022.

Sabre respectfully requests that the Court advise as to how it would like to proceed.

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Respectfully submitted,

/s/ Patrick Fitzgerald

Patrick Fitzgerald

cc: Counsel for US Airways, Inc., via ECF